

Application No. 10/670,472
Amendment dated February 2, 2009
Reply to Final Office Action of January 28, 2009

Docket No.: NY-LUD 5780.2

REMARKS

The Office Action of January 28, 2009 has been considered carefully.

The Examiner's comments regarding the restriction are noted. It is noted that advising an applicant of this at final rejection is hardly timely.

Regarding the rejections, applicants have amended the specification regarding Tripure™ and have added language that the manufacturer supplies. No further information on the product is available publicly. It is noted that applicants did make a bona fide attempt to resolve this deficiency. The Examiner has, however, chosen to raise the issue in piecemeal fashion.

The Examiner presented rejections of only claims 46 and 51. They are canceled herein, thus obviating the issues. Only allowed claims 1, 11, and 47-50 remain.

This application is now in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5780.2 US (10312064) from which the undersigned is authorized to draw.

Dated: February 2, 2009

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Respectfully submitted,

By 

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